REMARKS

Claims 4-15 are currently pending.

<u>Rejection under 35 U.S.C. §103</u>

On the merits, claims 4-15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hoenninger et al. in view of Fletcher.

To this end, the Examiner stated correctly that Hoenninger does not disclose a method of programming in which instructions within a task can cause a switch of the priority (running level) in which the task is executed. The Examiner, however, stated that Fletcher discloses such a limitation. Applicant respectfully disagrees.

Fletcher neither discloses or suggests such a mechanism. Fletcher merely discloses a multi-tasking operating environment. The Examiner stated that Fletcher discloses to provide at least a second instruction for said tasks that enables a waiting for condition to be satisfied. Applicant respectfully disagrees. Fletcher states that the task creation and synchronization is implemented by interrupts. See col. 3, lines 3-4 and, in particular, col. 5, lines 21-33. Task are initially assigned with a fixed relative priority level. See col. 3, lines 57-59. Thus, Fletcher merely discloses a scheduler which determines according to respective priority levels the tasks that will be executed at a specific time in a sequential order. Each task scheduled will be executed as assigned. Once a task is executed, the task with the next highest priority will be executed. This execution scheme is merely an ordinary multi-tasking execution system. There are no instructions executed which conditionally switch a priority level. On the contrary, the scheduler merely schedules different tasks according to their priority.

The present invention however, allows for a change of a priority level within a task based on an instruction which checks whether a condition is met independent from the control of the task scheduler. Thus, when such a condition is met the task itself is shifted to a higher priority and all following instructions are executed with a higher priority. Thus, these following instructions cannot be interrupted by a task or interrupt routine with a lower priority. According to the present invention there are two additional type of instructions which can be executed in a sequential program. A first instruction allows to check a condition and change the

priority level if the condition is met and a second allows for a reversal of the priority change. Thus, within a task, it is possible to secure the execution of highly time critical operations without interruption. The prior art does not provide for such a flexible programming scheme.

The dependent claims include all the limitations of the respective independent claims and are therefore patentable at least to the extent of the independent claims. As stated above, Applicant believes that the independent claims are not obvious in light of the prior art. Thus, applicant respectfully requests to defers any arguments with respect to the dependent claims at this time.
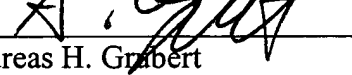
Summary

In light of the above remarks, reconsideration and withdrawal of the outstanding rejection is respectfully requested. It is further submitted that the application is now in condition for allowance and early notice of the same is earnestly solicited. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the agent of record by telephone or facsimile.

Applicants do not believe that any other fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct the fees from Deposit Account No. 02-0383, *(formerly Baker & Botts, L.L.P.,)* Order Number 071308.0210.

Respectfully submitted,

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